IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4775 of 2006

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Roshan Tiwari & Anr

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

WEB COPY

6 31-10-2013 Mr. Abhimanyu Sharma, learned counsel for the petitioners and Mr. Anil Kumar Singh, learned counsel for the respondent Nos. 5 and 6 are present.

The writ petition questions the order dated 30.9.2005 passed by the Additional Member, Board of Revenue Bihar, Patna in Revision Case No. 142 of 2003 whereby the learned Additional Member, Board of Revenue while allowing the revision application filed by the respondent No.5 and others, has set aside the appellate order passed by the Collector, Gopalganj in Appeal No. 26 of 2002 and has restored the order passed by the Deputy Collector Land Reforms, Gopalganj in exercise of powers vested under Section 16(3) of the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Lands) Act, 1961.

The dispute raised is amenable to the jurisdiction of the Bihar Land Tribunal constituted under Section 4 of the Bihar Land Tribunal Act, 2009 (hereinafter referred to as the 'Act') and the rules framed thereunder.

In view of the provisions of Section 9 and Section 15 of the Act read with Rule 5(6) of the Bihar Land Tribunal Rules, 2010, the records of the writ proceedings stands transferred / remitted to the Bihar Land Tribunal for adjudication.

The Registry is directed to transfer the records within four weeks from today.

(Jyoti Saran, J)

Bibhash/-